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Appendix II.

[Vide item III (1) at page 117 supra.]

L.A. BILL No. 18 OF 1939

(As passed by the Assembly)

A Bill further to amend the Madras Co-operative Land Mortgage Banks Act, 1934, for a certain purpose.

Madras Act X of 1934.

Whereas it is expedient further to amend the Madras Co-operative Land Mortgage Banks Act, 1934, for the purpose hereinafter appearing; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Madras Co-operative Land Mortgage Banks (Amendment) Act, 1939.

Madras Act X of 1934.

Insertion of new section 29-A in Madras Act X of 1934.

2. After section 29 of the Madras Co-operative Land Mortgage Banks Act, 1934, the following section shall be inserted, namely :—

Power to summon witnesses and requisition documents.

Madras Act VI of 1932.

V of 1908.

"29-A. (1) Subject to such restrictions, limitations and conditions as may be prescribed, the Registrar and persons subordinate to the Registrar who are authorized by him in this behalf by general or special order in writing, and such other persons, being officials engaged in the relief of rural indebtedness or officers of co-operative banks which are registered or deemed to be registered under the Madras Co-operative Societies Act, 1932, as the Provincial Government may, by notification in the *Fort St. George Gazette*, authorize in this behalf, shall have the same powers as are vested in a Court under the Code of Civil Procedure, 1908, when trying a suit, in respect of the following matters, namely :—

(*a*) enforcing the attendance of any person and examining him on oath or affirmation;

(*b*) compelling the production of documents; and

(*c*) issuing commissions for the examination of witnesses.

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(2) Any of the officers or persons authorized by or under sub-section (1) may require any person present before him to furnish any information or to produce any document then and there in his possession or power.

(3) Any officer or person before whom any document is produced under sub-section (1) or sub-section (2) shall have power to take, or to authorize the taking of, such copies of the document or of any entries therein as such officer or person may consider necessary. Copies so taken shall, when certified in such manner as may be prescribed, be admissible in evidence for any purpose in the same manner and to the same extent as the original document or the entries therein, as the case may be.

(4) (*a*) Any person who wilfully or without reasonable excuse disobeys any summons, requisition or order issued under sub-section (1) or sub-section (2), shall be punishable with fine which may extend to fifty rupees, and in the case of a continuing disobedience with an additional fine which may extend to five rupees for every day during which such disobedience continues after conviction for the last such disobedience.

(*b*) No Court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try any offence under clause (*a*).

(*c*) Every offence under clause (*a*) shall, for the purposes of the Code of Criminal Procedure, 1898, be deemed to be non-cognizable.

V of 1898.

(*d*) No prosecution shall be instituted under clause (*a*) without the previous sanction—

(i) of the Registrar in case the summons, requisition or order alleged to have been

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disobeyed was issued by the Registrar or any person subordinate to him or by any officer of a co-operative bank; and

(ii) of the Collector of the district in other cases.

Such sanction shall not be given without giving the party concerned an opportunity to be heard.

(5) The Provincial Government shall have power to make rules for giving effect to the provisions of this section."

APPENDIX III.

[Vide item III (2) at page 118 supra.]

L.A. BILL No. 19 OF 1939.

(As passed by the Assembly)

A Bill further to amend the Madras Commercial Crops Markets Act, 1933, for certain purposes.

Madras Act XX of 1933. WHEREAS it is expedient further to amend the Madras Commercial Crops Markets Act, 1933, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Madras Commercial Crops Markets (Amendment) Act, 1939. Short title.

2. In clause (iv) of section 2 of the Madras Commercial Crops Markets Act, 1933 (hereinafter referred to as the said Act), after the word and figure " section 4 ", the words, figure and letter " as altered by the notification or notifications, if any, under section 5-A " shall be added. Madras Act XX of 1933. Amendment of section 2, Madras Act XX of 1933.

3. (1) In section 6 of the said Act, for clause (iv) of sub-section (1), the following clause shall be substituted, namely:— Amendment of section 6, Madras Act XX of 1933.

" (iv) four shall be persons elected from among themselves by—

(*a*) persons licensed under section 4, and

(*b*) buyers, sellers, and buyers and sellers in the notified area of the commercial crop or of any of the commercial crops concerned, registered as such under the rules prescribed in that behalf for a period of not less than one year :"